

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David Sieverding and Kay Sieverding,

Civil No. 05-02 (DWF/JSM)

Plaintiffs,

v.

ORDER

Colorado Intergovernmental Risk
Sharing Association (CIRSA),

Defendant.

David Sieverding and Kay Sieverding, *Pro Se*, Plaintiffs.

Jon K. Iverson, Esq., Iverson Reuvers, LLC, counsel for Defendant.

This matter is before the Court upon Plaintiffs' objections to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated May 26, 2005, recommending that: (1) Defendant's request that this matter be dismissed *sua sponte* be granted and this matter be dismissed without prejudice; (2) Plaintiffs be prohibited from re-filing the instant action against CIRSA in this District, and from filing in this District any other lawsuits that relate to any of the series of events that occurred in Steamboat Springs that are the subject of the Colorado Litigation, or that form the basis and backdrop for the Colorado Litigation, unless plaintiffs are represented by counsel and counsel fully handles the case, including preparing all court documents and handling all filings and communications with the Court and the opposing parties; (3) Defendant's motion for attorneys' fees and costs be denied; and (4) all

remaining motions (Doc. Nos. 9, 11, 12, 13, 14, 17, 19, 20, 22, 23, 24, 26, 28, 29 and 30) be denied as moot.

The Court has conducted a *de novo* review of the record, including a review of the extensive arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c).

Based upon the *de novo* review of the record, including the Court's review of the extraordinary history of this file and all of the extensive arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiffs' objections (Doc. No. 33) to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated May 26, 2005, are **DENIED**.

2. Magistrate Judge Janie S. Mayeron's Report and Recommendation dated May 26, 2005 (Doc. No. 32), is **ADOPTED**.

3. Defendant's request that this matter be dismissed *sua sponte* is **GRANTED** and this matter is **DISMISSED WITHOUT PREJUDICE**.

4. Plaintiffs are prohibited from re-filing the instant action against CIRSA in this District, and from filing in this District any other lawsuits that relate to any of the series of events that occurred in Steamboat Springs that are the subject of the Colorado Litigation, or that form the basis and backdrop for the Colorado Litigation, unless plaintiffs are represented by counsel and counsel fully handles the case, including preparing all court documents and handling all filings and communications with the Court and the opposing parties.

5. Defendant's motion for attorneys' fees and costs is **DENIED**.

6. All remaining motions (Doc. Nos. 9, 11, 12, 13, 14, 17, 19, 20, 22, 23, 24, 26, 28, 29 and 30) are **DENIED AS MOOT**.

Dated: July 7, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court